

FILED

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U.S. MAGISTRATE JUDGE

BY _____

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Representing the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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2:17-mj-1052-GWF

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE UBALDO CORALES,

Defendant.

) Case No.:

) **COMPLAINT** for violation of:

) Operating a Motor Vehicle Under the
) Influence of Alcohol (36 C.F.R.
) 4.23(a)(1));

) Operating a Motor Vehicle With a BAC
) of 0.08 Grams and Higher
) (36 C.F.R. 4.23(a)(2));

) Driving without a Valid License
) (18 U.S.C. § 13; 36 C.F.R. § 4.2(b);
) N.R.S. 483.550(1));

BEFORE, the United States Magistrate Judge, Las Vegas, Nevada, the
undersigned complainant, being first duly sworn, states:

COUNT ONE***Operating a Motor Vehicle while Under the Influence of Alcohol***
(36 C.F.R. § 4.23(a)(1))

That on or about July 2, 2017, in the State and Federal District of Nevada, within the boundaries of the Lake Mead National Recreation Area, **JOSE UBALDO CORALES**, defendant herein, operated a gray 2001 Dodge Dakota pick-up bearing Nevada registration 47G901, under the influence of alcohol to a degree that rendered the defendant incapable of safe operation, to wit: **JOSE UBALDO CORALES** operated said motor vehicle along the Cottonwood Cove launch ramp parking area without operational license plate lights; **JOSE UBALDO CORALES** had an odor of an alcoholic beverage on his breath and observed that his eyes were glassy, and bloodshot; **JOSE UBALDO CORALES's** speech was slow and his breaths were labored; **JOSE UBALDO CORALES's** came out of the vehicle slowly; **JOSE UBALDO CORALES** stated that he was drinking earlier when he was with his friends; **JOSE UBALDO CORALES** performed poorly on Standard Field Sobriety Tests and **JOSE UBALDO CORALES** provided "Intoxilyzer 8000" test results of 0.103 grams, and 0.100 grams of alcohol per 210 liters of breath, respectively; all in violation of Title 36, Code of Federal Regulations, Section 4.23(a)(1).

COUNT TWO***Operating a Motor Vehicle with a BAC of 0.08 Grams and Higher***
(36 C.F.R. § 4.23(a)(2))

That on or about July 2, 2017, in the State and Federal District of Nevada, within the boundaries of the Lake Mead National Recreation Area, **JOSE**

1 **UBALDO CORALES**, defendant herein, operated a gray 2001 Dodge Dakota pick-
 2 up bearing Nevada registration 47G901 with an alcohol concentration in the
 3 defendant's breath of 0.08 grams and more of alcohol per 210 liters of breath, to
 4 wit: "Intoxilyzer 8000" test results of 0.103 grams, and 0.100 grams of alcohol per
 5 210 liters of breath, respectively; all in violation of Title 36, Code of Federal
 6 Regulations, Section 4.23(a)(2).

7 **COUNT THREE**

8 ***Driving without Valid License***

9 **(18 U.S.C. § 13; 36 C.F.R. § 4.2(b); N.R.S. 483.550(1))**

10 That on or about July 2, 2017, in the State and Federal District of Nevada,
 11 within the boundaries of the Lake Mead National Recreation Area, **JOSE**
 12 **UBALDO CORALES**, defendant herein, operated a gray 2001 Dodge Dakota pick-
 13 up bearing Nevada registration 47G901 on a highway or on premises to which the
 14 public has access at a time when he had no valid driver's license; all in violation of
 15 Title 36, Code of Federal Regulations, Section 4.2(b) Nevada Revised Statute
 16 483.550(1).

17 Complainant, as and for probable cause, states the following:

18 1. Complainant is a Park Ranger with the National Park Service, Lake Mead
 19 National Recreation Area, Clark County, Nevada, and has been employed as a law
 20 enforcement officer for approximately twenty years.

21 2. The following information is the result of either complainant's own
 22 personal investigation, or has been provided by other law enforcement officers:

1 (a) On July 2, 2017, National Park Service Ranger David Soto was
2 on routine patrol within the boundaries of the Lake Mead National Recreation Area,
3 Clark County, Nevada.

4 (b) Ranger Soto observed a gray 2001 Dodge Dakota pick-up bearing
5 Nevada registration 47G901, without operational license plate lights traveling along
6 the Cottonwood Cove launch ramp parking area.

7 (c) Ranger Soto stopped the vehicle at about mile 13 on the
8 Cottonwood Cove Access Road near the launch ramp parking area. Ranger Soto
9 contacted the operator, **JOSE UBALDO CORALES** who was unable to provide a
10 driver's license and was later identified from a standard record's check showing his
11 Nevada driver's license had expired.

12 (d) During this face to face contact with **JOSE UBALDO**
13 **CORALES**, Ranger Soto detected an odor of an alcoholic beverage on his breath and
14 observed that his eyes were glassy, and bloodshot. **JOSE UBALDO CORALES's**
15 speech was slow and his breaths were labored. **JOSE UBALDO CORALES's** came
16 out of the vehicle slowly. **JOSE UBALDO CORALES** stated that he was drinking
17 earlier when he was with his friends.

18 (e) The following are the results of Field Sobriety Tests which were
19 administered to **JOSE UBALDO CORALES**.
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1 1. Horizontal Gaze Nystagmus test - **JOSE UBALDO**
2 **CORALES**'s eyes lacked smooth pursuit, had distinct and sustained nystagmus at
3 maximum deviation, and showed onset of nystagmus prior to 45 degrees.

4 2. Walk and Turn test - **JOSE UBALDO CORALES** did not touch
5 heel-to-toe and stepped off of the line by walking back on a completely different line
6 than the one he has started with.

7 3. One Leg Stand test - **JOSE UBALDO CORALES** hopped a few
8 times to maintain his balance, put his foot down a total of three times at which time
9 the test was stopped.

10 4. Preliminary breath test/ Intoxilyzer SD-5 – This test was not
11 performed.

12 (f) Based on Ranger Soto's training and experience, **JOSE**
13 **UBALDO CORALES**'s poor performance on the Field Sobriety Tests, and physical
14 and objective symptoms of intoxication, Ranger Soto formed the opinion that **JOSE**
15 **UBALDO CORALES** had been operating a motor vehicle while under the influence
16 of alcohol and placed **JOSE UBALDO CORALES** under arrest.

17 (g) **JOSE UBALDO CORALES** was transported to the Cottonwood
18 Cove Ranger Station where Ranger Soto administered an "Intoxilyzer 8000" breath

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1 test to him. The results of the test were 0.103 grams, and 0.100 grams of alcohol per
2 210 liters of breath respectively.

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CHRIS RAYNOLDS, Park Ranger
National Park Service

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8 SUBSCRIBED and SWORN to before me
9 this 27th day of October 2017.

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11 
12 UNITED STATES MAGISTRATE JUDGE